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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
7

8 DANIEL ALAS,  
9 Petitioner,

No. C 07-3811 SI

**ORDER DENYING CERTIFICATE OF  
APPEALABILITY**


10 v.

11 WILLIAM SULLIVAN,  
12 Respondent.  
13 \_\_\_\_\_/

14 Petitioner has filed a notice of appeal and requested a certificate of appealability pursuant  
15 to 28 U.S.C. § 2253(c) and Federal Rule of Appellate Procedure 22(b). Because petitioner has  
16 not "made a substantial showing of the denial of a constitutional right," 28 U.S.C. § 2253(c)(2),  
17 the request for a certificate of appealability is DENIED. The Clerk shall forward to the court  
18 of appeals the case file with this order. See United States v. Asrar, 116 F.3d 1268, 1270 (9th Cir.  
19 1997).  
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21 **IT IS SO ORDERED.**

22  
23 Dated: March 17, 2009

  
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SUSAN ILLSTON  
United States District Judge